

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION**

UNITED STATES OF AMERICA

v.

AHKIL NASIR CRUMPTON

CASE NO. 3:22-CR-12-TES-CHW

**UNOPPOSED MOTION TO CONTINUE TRIAL
IN THE INTEREST OF JUSTICE**

COMES NOW the Defendant, **Ahkil Nasir Crumpton**, by and through his counsel of record, herein moves the Court to continue the May 10, 2023, pretrial conference, and the June 12, 2023, specially set trial term, to a trial term satisfactory to this Court. The following is shown in support of this Motion:

I. Procedural History

Mr. Crumpton was indicted on May 10, 2022, and charged with four counts: Count One charges Mr. Crumpton with Interference with Commerce by Attempted Robbery in violation of 18 U.S.C. 1951. Count Two charges Mr. Crumpton with Use and Discharge of a Firearm in Furtherance of a Crime of Violence, in violation of 18 U.S.C. § 924(c)(1)(A). Count three charges Mr. Crumpton with Murder with a Firearm during a Crime of Violence, in violation of 18 U.S.C. §§ 1111 and 924(j)(1). Count Four charges Mr. Crumpton, along with a co-defendant, with False Statement During the Purchase of a Firearm, in violation of 18 U.S.C. §§ 922(a)(6) and 924(a)(2). Mr. Crumpton had his

initial appearance and was arraigned on the above charges on June 3, 2022 (Doc. 20). A detention hearing was held on June 8, 2022, and Mr. Crumpton consented to pretrial detention requesting the opportunity to reopen if circumstances change. A Motion for Reconsideration (Doc. 50) regarding Doc. 34, the Order of Detention, was filed by Mr. Crumpton on December 2, 2022, and the Court Ordered Mr. Crumpton be detained pending trial (Doc. 53).

On January 12, 2023, the Court specially set the case for trial to begin on June 12, 2023. This case was reassigned to Judge Tilman E. Self, III on March 15, 2023. Timothy R. Saviello, filed his Notice of Appearance, as co-counsel, on March 17, 2023 (Doc. 59).

II. Reasons for Requested Continuance

As the Court is aware, Mr. Saviello entered into the case following a family tragedy suffered by Mr. Simpkins. That entry was made on March 17, 2023. (Doc. 59) On March 6, prior to the tragedy and the need for his appearance on behalf of Mr. Crumpton, Mr. Saviello and his family booked a non-refundable trip out of the country for June 17, 2023, through July 1, 2023. Thus, Mr. Saviello is not available for the currently scheduled trial date of June 12, with the understanding and representations made by the parties to date that the trial of the case should take approximately 2 weeks.

In addition, while undersigned counsel has received the government's discovery and has been reviewing that material, it is voluminous and he needs additional time to complete that review, further meet with Mr. Crumpton about

the discovery, and investigate the matters both in Georgia and in Pennsylvania, along with co-counsel, Chauntilia K. Adaway.

Defense counsel met with Mr. Crumpton to discuss the issue, prior to the filing of this motion.

Additionally, undersigned counsel has conferred with Assistant United States Attorney, Mike Morrison, and the Government does not oppose this motion.¹

As such, Mr. Crumpton respectfully requests this Court to continue the May 10, 2023, pretrial conference, and the June 12, 2023, specially set trial term, to a satisfactory Athens trial term before this Court.

III. Speedy Trial Act, 18 U.S. C. §§ 3161, et seq.:

Counsel respectfully submits to the Court that the above circumstances warrant finding excludable delay under the provisions of the Speedy Trial Act, 18 U.S.C. §§3161, et seq., through any trial date that may be set upon allowance of this motion, and that the ends of justice served by the granting of this continuance outweigh the best interests of the public and the United States Attorney's Office in a speedy trial.

¹ Counsel for the defense have conferred with counsel for the government to discuss potential trial windows that would match counsels' known trial schedules as well as the Court's. The parties would be happy to discuss that issue further with the court at its convenience, and in whatever forum the court feels is most appropriate.

WHEREFORE, Mr. Crumpton requests this Court enter an Order continuing this case to a trial term satisfactory to this Court and that all days from the date of the Order to the beginning of the term be excluded from the calculation of the Speedy Trial Date.

Respectfully submitted, this 18th day of April, 2023.

/s/ **Timothy R. Saviello**

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CERTIFICATE OF SERVICE

I, Timothy R. Saviello, hereby certify that on April 18, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such to all counsel of record.

/s/ Timothy R. Saviello

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